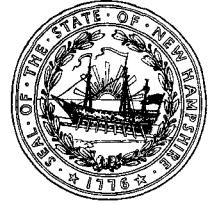




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

October 3, 2006

REISSUED

LETTER OF DEFICIENCY #WSEB 06-093

Certified Mail #7099 3400 0003 6156 4036

Bryate Woody
Lamington Hill Home Owners Assoc.
4 Lamington Hill Pl.
Stratham, NH 03885

Subject: Stratham - Public Water System: Lamington Hill (EPA #2232170)

Dear Mr. Woody:

This Reissued Letter of Deficiency ("LOD") was originally issued by the Department of Environmental Services ("DES"), Water Supply Engineering Bureau to Bryate Woody on August 18, 2006. The original LOD was sent by certified mail, but was returned by the US Postal Service marked "*Unclaimed.*" This Reissued LOD includes the following modifications to the original LOD:

1. The original LOD noted that the fiscal year 2007 Permit to Operate ("PTO") fee payment of \$140.00, due by July 1, 2006, had not been received. DES received the PTO payment on September 25, 2006. As a result, no further action regarding the PTO payment is required.
2. The deadlines for distributing Lamington Hill's 2006 Consumer Confidence Report and submitting certification of such distribution to DES contained in the original LOD have been modified to reflect the date of this Reissued LOD.
3. The original LOD included a reminder that proof of public notice for the second quarter 2006 arsenic maximum contaminant level violation was due by August 27, 2006. On August 21, 2006, DES received the required proof of public notice. Therefore, no further action regarding that public notice is required.

In all other aspects, the LOD remains in effect.

DES records show that the subject water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more service connections, or 25 or more people, for 60 or more days per year. As such, the owner of the water system is required to comply with NH Administrative Rule Env-Ws 300, *New Hampshire Drinking Water Rules*.

Pursuant to Env-Ws 352, the water system owner is required to issue to the system's customers a Consumer Confidence Report (CCR) by July 1st of each year. Env-Ws 352 also requires the system owner to forward a copy of the CCR to DES by July 1st of each year and to submit certification of the CCR to DES by October 1st of each year.

DES records show that the subject water system failed to prepare and deliver the 2006 CCR to customers and DES by July 1, 2006. The failure to prepare and deliver the 2006 CCR places the water system in violation of Env-Ws 352.

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-2513 • Fax: (603) 271-5171 • TDD Access: Relay NH 1-800-735-2964

DES Web site: www.des.nh.gov

DES believes the CCR violation can be corrected and future violations prevented by taking the following actions:

1. **By October 20, 2006, prepare and deliver to the water system's customers and to DES the 2006 Consumer Confidence Report containing calendar year 2005 drinking water information; and**
2. **By October 20, 2006, submit to DES the 2006 CCR certification form.**

A CCR template with instructions is available for downloading free of charge at www.des.state.nh.us/wseb/ccr.htm. If your system uses the state laboratory, laboratory results are available from this website also. Please contact Richard Thayer at (603) 271-2950 or by email at rthayer@des.state.nh.us, if you have any questions regarding the preparation and certification of the 2006 CCR.

In the event compliance is not achieved within the above listed period(s), DES may take further enforcement action. These actions include issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

All the above requested information should be addressed as follows:

Department of Environmental Services
Attn: Emily Jones
Water Supply Engineering Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

If you have any questions concerning this letter, please contact Emily Jones at (603) 271-0659 or by email at ejones@des.state.nh.us.

Sincerely,

 **COPY**

Sarah Pillsbury, P.G., Administrator
Water Supply Engineering Bureau

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cc: Gretchen R. Hamel, DES Legal Unit Administrator
John Benham, Primary Operator
Health Officer Town of Stratham
EPA, Region 1